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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,806	10/30/2003	Adrian Buckley	555255012612	1304

33787 7590 03/22/2007

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EXAMINER	
CASCA, FRED A	

ART UNIT	PAPER NUMBER
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/696,806	BUCKLEY, ADRIAN	
	Examiner	Art Unit	
	Fred A. Casca	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *03/07/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9, 11-15, 18-20, 23-35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson et al (US 2003/0026223 A1) in view of Schmidt (US 2003/0031148 A1).

Referring to claim 1, Eriksson discloses a method of communicating cellular network broadcast information to one or more mobile stations by a wireless local area network (abstract and figures 1), the method comprising the steps of receiving, from one or more available cellular networks or a network database, cellular network broadcast information associated with the one or more available cellular networks (figures 1-9 and paragraphs 2-6, note that a digital cellular system based GSM is discloses where in a cellular system receiving from a cellular network broadcast information associated with the one or more available cellular networks is inherent because broadcast information is needed in order to make a cellular connection between two subscribers); formatting the cellular network broadcast information in a generic container message, which varies in content and format in accordance with different cellular standards associated with the one or more available cellular networks (paragraphs 7, 8, 26, 36, 38, "modulated", "modulator", "GMSK", note in radio communication system of Eriksson, a broadcast is inherently formatted (modulated) in a generic container (the carrier) which varies in content and format (the

modulated has a different format because it is a combination of the two signal now, the message signal and the carrier)); and transmitting the generic container message for receipt and use by a mobile station in selecting one of the one or more available cellular networks for communication (figures 1-9, paragraphs 2-7, 8, 26, 36, note the purpose of the Eriksson's cellular system is to transmit messages from one subscriber to another).

Eriksson does not specifically disclose an authentication procedure.

Schmidt discloses authentication procedure in a GSM network (paragraph 15, "GSM data is transmitted in an encrypted form . . . Because a wireless medium can be accessed by anyone, authentication is a significant element of a mobile network").

It would have been obvious to one of the ordinary skills in the art at the time of the invention to modify the method of Eriksson by incorporating the teachings of Schmidt and provide the authentication procedure with the transmission for the purpose of providing a secure communication network.

Referring to claim 2, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose in the generic container message includes a technology-specific container (Eriksson, paragraphs 7, 8, 26, 36, 38, "modulated", "modulator", "GMSK", the technology specific is the GMSK).

Referring to claim 3, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose the generic container message includes a tag field for identifying the

generic container message (paragraph 16, "GSM", tag field are inherent in GSM).

Referring to claim, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose the generic container message includes a data field for identifying a technology standard or standard organization associated with a first cellular network (par 7, "data fields").

Referring to claim 5, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose the generic container message includes a data field for identifying a standard or standard organization associated with a first cellular network, and the cellular network broadcast information includes first cellular network information which identifies a first cellular network (paragraph 16, "GSM", par 7, "data fields", note that tag field are inherent in GSM and it is a matter of design choice to organize them in a specific format).

Referring to claim 6, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose one or more available cellular networks comprise a plurality of cellular networks (Eriksson, figure 1 and paragraphs 2-7).

Referring to claim 7, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose network broadcast information includes first cellular network information from a first cellular network; and second cellular network information from a second cellular network (Eriksson, figure 1 and paragraphs 2-7).

Referring to claim 8, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose the cellular network broadcast information includes first cellular network information from a first cellular network having a first information content; and second cellular network information from a second cellular network having a second information content different from the first information content (Eriksson, figure 1 and paragraphs 2-7).

Referring to claim 9, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further disclose the cellular network broadcast information includes first cellular network information which identifies a first cellular network; and second cellular network information which identifies a second cellular network (Eriksson, figure 1 and paragraphs 2-7).

Referring to claims 11-14 and 15, claims 11-14 and 15 define a method or receiving and processing a cellular network broadcast information reciting features analogous to the features of a method of communicating cellular network broadcast information defined by claims 1-4 and 7 respectively (as rejected above). Thus, the combinations of Eriksson/Schmidt disclose all elements of claims 11-14 and 15 (please see the rejection of claim 1-4 and 7 above).

Referring to claim 18, the combinations of Eriksson/Schmidt disclose the method of claim 1, and further the cellular network broadcast information includes first cellular network information from a first cellular network which operates in accordance with a first communication standard; and second cellular network information from a second cellular network which operates in accordance with a second communication standard different from the first communication standard (Eriksson, fig. 1-8 and paragraphs 2-7 and 26).

Referring to claim 19, claim 19 define a method or receiving and processing a cellular network broadcast information reciting features analogous to the features of a method of communicating cellular network broadcast information defined by claim 8 (as rejected above). Thus, the combinations of Eriksson/Schmidt disclose all elements of claims 19(please see the rejection of claim 8 above).

Referring to claim 20, the combinations of Eriksson/Schmidt disclose the method of claims 11 and further disclose one of the cellular networks operates in accordance to a 3rd generation standard (Eriksson, par 6, "3GPP").

Referring to claims 23-29, claims 23-29 define a wireless network reciting features analogous to the features of a method of communicating cellular network broadcast information defined by claims 1-7 (as rejected above). Thus, the combinations of Eriksson/Schmidt disclose all elements of claims 23-29 (please see the rejection of claim 1 above).

Referring to claims 30-34, claims 30-34 define a mobile station reciting features analogous to the features of a method of communicating cellular network broadcast information defined by claims 1-5 respectively (as rejected above). Thus, the combinations of Eriksson/Schmidt disclose all elements of claims 30-34 (please see the rejection of claim 1 above).

Referring to claims 35 and 37, claims 35 and 37 define a mobile station reciting features analogous to the features of a method of communicating cellular network broadcast information defined by claims 10 and 21 respectively (as rejected above). Thus, the combinations of

Eriksson/Schmidt disclose all elements of claims 35 and 37 (please see the rejection of claim 1 above).

3. Claims 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson et al (US 2003/0026223 A1) in view of Zhao (US 2005/0059397 A1).

Referring to claim 10 and 16, the combinations of Eriksson/Schmidt disclose the method of claims 1 and 11.

The combinations of Eriksson/Schmidt does not disclose broadcast information includes a mobile network code (MNC) and a mobile country code (MCC).

Zhao discloses cellular network broadcast information includes a mobile network code (MNC) and a mobile country code (MCC) ((paragraph 0045).

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the method of Eriksson/Schmidt by incorporating the teachings of Zhao and providing cellular network broadcast information to include a mobile network code (MNC) and a mobile country code (MCC) which identifies a first cellular network, for the purpose of expanding the network to adjacent countries and allowing global roaming.

4. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson et al (US 2003/0026223 A1) in view of Chang et al (US 2003/0031148 A1).

Referring to claim 36, the combinations of Eriksson/Schmidt disclose the method of claim 36.

combinations of Eriksson/Schmidt specifically disclose storing information for set service identifiers.

Chang discloses that set service identifiers are used in the mobile network (paragraph 93).

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the mobile station of Eriksson/Schmidt by allowing storing cellular network broadcast information for in association with SSID for the purpose of identifying broadcast signals.

5. Claims 17, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson et al (US 2003/0026223 A1) in view of well known prior art (MPEP 2144.03).

Referring to claim 17, the combinations of Eriksson/Schmidt disclose the method of claims 11 and further disclose the cellular network broadcast information includes first cellular network information which identifies a first cellular network and second cellular network information which identifies a second cellular network (see rejection of claim 8 above).

The combinations of Eriksson/Schmidt disclose selecting one of the first and the second cellular networks for communication through the wireless local area network.

The examiner takes official notice of the fact that selecting a network via a WLAN is well known in the art.

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the method of Eriksson/Schmidt by incorporating the teachings of well known art for the

purpose of expanding the network selection in popular environments subscribers are expected to visit.

Referring to claims 21-22, the combinations of Eriksson/Schmidt disclose the method of claims 1 and 11.

The combinations of Eriksson/Schmidt do not disclose broadcast signal includes system identification.

The examiner takes official notice of the fact that broadcasting system identification is well known in the art.

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the method of Eriksson/Schmidt by incorporating the teachings of well known art for the purpose of selecting the proper network.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid, can be reached at (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER